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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/001,639 | 10/31/2001 | Liu He | 4327P005 | 4461 |

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EXAMINER

BLACKWELL RUDASIL, GWENDOLYN A

ART UNIT

PAPER NUMBER

1775

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------|---|---------------------------|
| Advisory Action | Application No. 10/001,639 | Applicant(s) HE ET AL. |
| | Examiner Gwendolyn A. Blackwell-Rudasill | Art Unit 1775 |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


DEBORAH JONES
 SUPERVISORY PATENT EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive to overcome the rejections set forth in the Final Rejection dated 12/16/03. In particular EP '587 discloses a crystalline metal compound, (page 6, section 0047), and solvents that the metal compound is dispersed in, (page 6, section 0052). Because EP '587 disclose the use of a crystalline metal compound dispersed in a solvent, EP '587 remains good prior art and the rejections stand. Applicant also contend that there is no motivation from the cited references to combine EP '587 and Taniguchi. In this case, both of the inventions are to anti-reflection films that are used on display devices. EP '587 disclose that silane-coupling agents are used in the low index layer, (pages 12-14, sections 0121-0136). Taniguchi gives more specific examples of the silane materials. Because EP '587 and Taniguchi are analogous art, it would be within the skill of one in the art at the time of invention to modify the invention of EP '587 with the alkoxysilane of Taniguchi et al to create a low index layer that has improved heat, hot water and chemical resistance, (Taniguchi et al, column 3, lines 50-53).

For the aforementioned reasons and the reasons of record set forth in the Final Rejection, the rejections of present claims 1-21 and 30-32 stand.